



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Laurel Lunt Prussing, Mayor

FROM: Elizabeth H. Tyler, Ph.D., FAICP, Director

DATE: September 22, 2011

SUBJECT: Ordinance No. 2010-09-080: An Ordinance Designating a Historic Landmark (104 North Central Avenue, "Eli Halberstadt House"/ Historic Preservation Case No. HP-2010-L-02)

Introduction and Background

The purpose of this memorandum is to request that final action be taken on a pending application to designate 104 N. Central Ave (the Eli Halberstadt House) as a local historic landmark. Brian Adams is the applicant, and the current property owners are Norman and Carolyn Baxley.

The Historic Preservation Commission held a public hearing and concluded its consideration of the application at its September 1, 2010 meeting. At that meeting, the Commission voted six ayes and 0 nays to recommend that the City Council approve the application. The Commission's report previously sent to the City Council, including all exhibits and meeting minutes, is expressly referenced here as part of the Council's consideration in this case. As part of their proceedings, the Commission received detailed testimony and submittals on behalf of both the applicant and property owner, as well as petitions both in favor and in opposition to designation.

At the September 27, 2010 Committee of the Whole meeting, City Council asked staff to provide a first-hand assessment of the building's condition and to review the cost estimates for the building provided by the property owners. At that meeting Canaan Baptist Church also asked for more time to explore options and for discussion, suggesting through the end of January 2011.

With the property owner's permission, City of Urbana staff inspected the property on October 27, 2010. Overall, the building was observed to be structurally sound but in need of major investment to upgrade systems now reaching the end of their life cycle. Based on bids submitted by the property owner, basic repairs would cost approximately \$67,800. Demolition would cost approximately \$12,000, and relocation of the house to a different lot would cost approximately \$100,000, assuming a feasible relocation lot could be identified.

City staff continued to discuss options with the property owners and periodically updated the City Council on the status of these discussions. On February 14, 2011, City staff reported to the

Committee of the Whole that Canaan Baptist Church had indicated their willingness to sell the property, and that a potential purchaser had toured the Halberstadt House. While Canaan Baptist Church worked to reach agreement with the potential buyers, the Mayor and City staff worked with Canaan about potential lease or purchase of an adjoining vacant lot at 310 W. Main Street (former Armory lot) with the idea that a public parking lot would be constructed on the site. This would serve the dual purpose of filling a shortage of leased parking spaces for downtown businesses and provide an opportunity for parking for Church and other non-business hour uses. One condition placed by Canaan Baptist Church for sale of these two properties was that they sought to sell both the Halberstadt House and 310 W. Main Street on the same day.

On July 18, 2011, the City Council authorized the Mayor to purchase the vacant lot at 310 W. Main (Ordinance No. 2011-07-078) and approved budget amendments for both purchase and construction of a public parking lot (Ordinance No. 2011-07-079). City staff worked to close on the property in coordination with the closing on the Halberstadt House property. On September 2, 2011, Canaan Baptist Church sold both properties.

The current owners of the Halberstadt House have signed a Historic Landmark Preference Form supporting designation as a local historic landmark. (See attached.) Their plans are to rehabilitate the property as a duplex and to maintain the historic integrity of the building's exterior. Should this landmark application be approved, future exterior changes to the property would require review and approval of the work by the Historic Preservation Commission through issuance of a Certificate of Appropriateness.

Should the application be approved, the owners would be required to obtain a Certificate of Appropriateness from the Historic Preservation Commission for future alterations affecting the exterior architectural appearance of the structure.

Recommendation

Following a public hearing on this application, the Urbana Historic Preservation Commission voted on September 1, 2010 recommended approval of the nomination by a vote of 6 ayes and 0 nays. City staff likewise recommends **APPROVAL** of the attached draft ordinance. Although a super-majority vote was previously required for approval of this application based on an official written protest by the previous property owner, this is no longer applicable due to change in ownership and current property owner support of the application.

Prepared by:

Robert Myers, AICP, Planning Manager

cc: Brian Adams, 412 W Elm St., Urbana, IL 61801
John Schneider, Building Safety Manager
Rebecca Bird, Planner I

Attachments:

Draft landmark designation ordinance
Historic Landmark Preference Form

ORDINANCE NO. 2010-09-080

AN ORDINANCE DESIGNATING A HISTORIC LANDMARK

(104 N. Central Avenue, "Eli Halberstadt House" / Historic Preservation Case
No. HP 2010-L-02)

WHEREAS, Article XII of the Urbana Zoning Ordinance provides the City of Urbana the authority to designate local landmarks and historic districts with the stated purpose to promote the educational, cultural, economic, and general welfare of the community; and

WHEREAS, Brian Adams has nominated the property located at 104 N. Central Avenue, Urbana (referred to herein as the "Eli Halberstadt House") to be designated a historic landmark pursuant to the Urbana Historic Preservation Ordinance; and

WHEREAS, the owners of the subject property, Norman and Carolyn Baxley, have been duly notified of the nomination and have submitted a signed Preference Form in favor of the nomination; and

WHEREAS, after due publication and notice to all parties as required under the Ordinance, a public hearing was held by the Urbana Historic Preservation Commission on September 1, 2010 concerning the subject historic landmark nomination; and

WHEREAS, following the public hearing, the Historic Preservation Commission voted to recommend approval of said nomination for the subject parcel by a vote of 6 ayes and 0 nays, and made a written recommendation accompanied by a report summarizing the evidence presented at the hearing,

with an explanation of its recommendation, which said recommendation and report were forwarded to the City Council; and

WHEREAS, at the September 27, 2010 City Council meeting, the property owners of the Halberstadt House, Canaan Baptist Church, requested that the application be deferred to provide time for all parties to reach a mutually acceptable solution; and

WHEREAS, Canaan Baptist Church on September 2, 2011 sold the property to Norman and Carolyn Baxley who support designation of the property as a local landmark.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1.

The Council does hereby find and determine, pursuant to the recommendation and report of the Historic Preservation Commission, that the subject property should be designated as a historic landmark on the basis of meeting the following criteria in Section XII-5.C.1 of the Urbana Zoning Ordinance:

- a) Significant value as part of the architectural, artistic, civic, cultural, economic, educational, ethnic, political or social heritage of the nation, state, or community; The house was completed in August 1875 for Eli Halberstadt, Mayor of the City of Urbana when in 1867 the city was designated as the home of the University of Illinois and when the first railroad reached the city; and

- b) Associated with an important person or event in national, state or local history; The house was constructed for Eli Halberstadt, a prominent local grain miller and four term Mayor of the City of Urbana; and
- c) Representative of the distinguishing characteristics of an architectural type inherently valuable for the study of a period, style, craftsmanship, method of construction or use of indigenous materials and which retains a high degree of integrity. The home is an excellent example of the Italianate and Stick/Eastlake architectural styles, and its design appears to be largely unaltered since its construction. Relatively few examples of these architectural styles remain in Urbana.

Section 2.

The said property located at 104 N. Central Avenue, otherwise known as the "Eli Halberstadt House", is hereby designated as a historic landmark, pursuant to Article XII of the Zoning Ordinance of the City of Urbana, Illinois.

LEGAL DESCRIPTION:

A part of the Northeast Quarter of Section 17, Township 19 North, Range 9 East of the Third Principal Meridian, Urbana, Champaign County, Illinois, being more particularly described as follows:

THE WEST 92 FEET OF LOT 14 IN WORTHY'S ADDITION TO URBANA, TOGETHER WITH A NON-EXCLUSIVE EASEMENT OVER THE WEST 3.5 FEET OF THE EAST 50 FEET OF SAID LOT 14 CREATED BY WARRANTY DEED RECORDED NOVEMBER 11, 1916 IN BOOK 165 AT

PAGE 97, ALL SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

PERMANENT IDENTIFICATION NUMBER: 91-21-08-384-004

Section 3.

The City Clerk is hereby directed to publish this Ordinance in pamphlet form by authority of the corporate authorities of the City of Urbana. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Article 11, Division 13 (Zoning) of the Illinois Compiled Statutes (65 ILCS 5/11-13-14).

PASSED by the Corporate Authorities this _____ day of _____, 2011.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2011.

Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the ____ day of _____, 2011, the Corporate Authorities of the City of Urbana passed and approved Ordinance No.

_____, entitled AN ORDINANCE DESIGNATING A HISTORIC LANDMARK

(104 N. Central Avenue, "Eli Halberstadt House" Historic Preservation Case No.

HP2010-L-02) which provided by its terms that it should be published in pamphlet

form. The pamphlet form of Ordinance No. _____ was prepared, and a

copy of such Ordinance was posted in the Urbana City Building commencing on the

_____ day of _____, 2011, and continuing for at least ten

(10) days thereafter. Copies of such Ordinance were also available for public

inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this ____ day of _____, 2011.



Historic Landmark Preference Form

Historic Preservation Commission

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

Name: Carolyn and Norman Baxley
Street Address: 510 W. Main
City/State/Zip: Urbana, IL 61801
Telephone: 217-384-2253

LANDMARK NOMINATION OF PROPERTY

Common address of nominated property: 104 N. Central
Owner of nominated property: Carolyn and Norman Baxley

Please check one:

- I **support** the nomination of the aforementioned property for landmark designation.
- I **do not** support the nomination of the aforementioned property for landmark designation.
- I have **no opinion** regarding the nomination of property for landmark designation.

COMMENTS: Please use the following space to add additional comments. Attach additional papers if necessary.

Signature: Carolyn Baxley
Signature: Norman Baxley

Date: 9/8/11
Date: 9/8/11

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street
Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367

RECEIVED
SEP 08 2011
BY: RAM